

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT) ORDER
IN THE NAMES OF F.C. OXMAN AND)
A.J. MAARICH)

On June 19, 1987, Kathryn L. Vaughn, Lawrence D. Bunch and Jean Bunch submitted affidavits and on July 9, 1987, Jean (Davis) Rutherford submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 3327, Volume 4, State Record of Water Right Certificates, in the names of F.C. Oxman and A.J. Maarich, and is for the use of not to exceed 5.66 cubic feet per second of water from Burnt River, with a date of priority of June 5, 1912, for domestic use and irrigation of:

40.0 acres SE 1/4 NW 1/4
40.0 acres SW 1/4 NW 1/4
20.0 acres NW 1/4 SW 1/4
40.0 acres NE 1/4 SW 1/4
40.0 acres NW 1/4 SE 1/4
Section 29

10.0 acres NE 1/4 NE 1/4
20.0 acres SE 1/4 NE 1/4
10.0 acres NE 1/4 SE 1/4
Section 30

20.0 acres NE 1/4 SE 1/4
20.0 acres SE 1/4 SE 1/4
Section 33

10.0 acres NW 1/4 SW 1/4
40.0 acres SW 1/4 SW 1/4
20.0 acres SE 1/4 SW 1/4
Section 34

Township 11 South, Range 43 East, WM

20.0 acres Lot 2 (SW 1/4 NE 1/4)
20.0 acres Lot 3 (SE 1/4 NW 1/4)
20.0 acres Lot 4 (SW 1/4 NW 1/4)
15.0 acres NE 1/4 SW 1/4
20.0 acres NW 1/4 SE 1/4
Section 3

20.0 acres Lot 1 (SE 1/4 NE 1/4)
Section 4

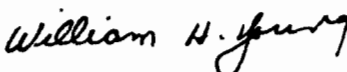
Township 12 South, Range 43 East, WM

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 3327, Volume 4, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 11th day of April, 1988.


WILLIAM H. YOUNG
Director

NOTICE: Judicial review may be obtained by filing a petition for review within 60 days from the service (date of mailing) of this order. Judicial review is pursuant to the provisions of ORS 536.075.

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